

012204

15/50 U.S. PTO

PTO/SB/05 (05-03)

Approved for use through 04/30/2003. OMB 0651-0032

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

4078

First Inventor

Gary Martin Zelman

Title

AUXILIARY EYEWEAR ATTACHMENT METHODS AND APPARATUS

Express Mail Label No.

EV393635038US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria VA 22313-1450

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
- ☒ Applicant claims small entity status.  
See 37 CFR 1.27.

- ☒ Specification [Total Pages 20]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure

- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 4]

- Oath or Declaration [Total Sheets 1]
  - ☐ Newly executed (original or copy)

- ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)

- ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

- ☐ Application Data Sheet. See 37 CFR 1.76

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - ☐ Computer Reader Form (CRF)
  - Specification Sequence Listing on:
    - ☐ CD-ROM or CD-R (2 copies); or
    - ☐ Paper
  - ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney (when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1499 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
- ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/353,628

Prior application information:

Examiner Huy K. Mai

Art Unit: 2873

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

OR ☐ Correspondence address below

Name	David O'Reilly				
Address	1800 Bridgegate Street, Suite 200				
City	Westlake Village	State	CA	Zip Code	91361
Country	U.S.A.	Telephone	(805)446-2759	Fax	(805)446-2869

Name (Print/Type)	David O'Reilly	Registration No. (Attorney/Agent)	26,102
Signature		Date	1/22/04

Express Mail Label Number: EV393635038US

I hereby certify that this correspondence is being deposited with the U. S. Postal Service as EXPRESS MAIL, postage prepaid, under 37 CFR 1.10 in an envelope addressed to the Commissioner of Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

By: David O'Reilly, Reg. No. 26,102

2581 U.S. PTO  
10/763967

012204

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 385.00

**Complete if Known**

Application Number	
Filing Date	
First Named Inventor	Gary Martin Zelman
Examiner Name	
Art Unit	
Attorney Docket No.	4078

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name

15-0640

David O'Reilly

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee in the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	385
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ ) 385

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
14	-20** =	9	0
3	-3** =	43	0
Multiple Dependent			

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ )

**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	David O'Reilly	Registration No. (Attorney/Agent)	26,102	Telephone	(805) 446-2759
Signature		Date	1/22/04		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Continuation Application

Applicant: Gary Martin Zelman

Examiner: Huy K. Mai

Prior App. Serial No. 10/353,628  
Prior App. Filed January 28, 2003

Group: 2873

Prior App. Serial No. 09/184,694  
Prior App. Filed November 2, 1998

For: AUXILIARY EYEWEAR ATTACHMENT METHODS AND APPARATUS

Westlake Village, CA 91361

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Enclosed for filing, please find a Continuation application  
as follows:

Inventor: Gary Martin Zelman

Citizenship: U.S.A.

Title: AUXILIARY EYEWEAR ATTACHMENT  
METHODS AND APPARATUS

This application includes fifteen (15) pages of  
specification, four (4) pages of claims, one (1) page of  
Abstract and four (4) sheets of drawings.

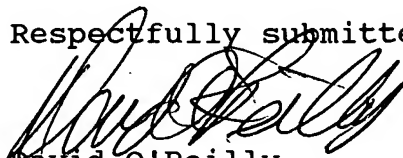
Also enclosed is a copy of Declaration and Power of  
Attorney originally filed in Parent Application Serial No.  
09/184,694, filed November 2, 1998.

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MAIL, postage prepaid, under 37 CFR 1.10 in an  
envelope addressed to the Commissioner of Patents,  
P. O. Box 1450, Alexandria, VA 22313-1450.  
Date: January 22, 2004

By:   
David O'Reilly, Reg. No. 26,102

Kindly file this patent application and conduct all correspondence with the undersigned at 1800 Bridgegate Street, Suite 200, Westlake Village, California 91361.

Respectfully submitted,



David O'Reilly  
Reg. No. 26,102

Date: January 22, 2004

DO'R/en

Enclosures

Please make all calls to:  
(805) 446-2759

1800 Bridgegate St., #200  
Westlake Village, CA 91361